

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHRISTOPHER A. GROVER,

Plaintiff,

v.

DR. JEFF HOLMGREN,

Defendant.

OPINION AND ORDER

20-cv-1137-bbc

Pro se plaintiff Christopher Grover, who is incarcerated at the Jackson Correctional Institution, has filed a proposed civil action in which he alleges that his former psychiatrist, defendant Dr. Jeff Holmgren, committed malpractice by misdiagnosing plaintiff with bipolar disorder and prescribing plaintiff psychiatric medication he did not need following a car accident in 2011. Plaintiff's complaint is before the court for screening complaint under 28 U.S.C. § 1915A.

I conclude that plaintiff cannot proceed on his claim in federal court. Plaintiff's medical malpractice claim is a state-law tort claim that he cannot bring in federal court unless he were to show that the requirements for the court's diversity jurisdiction are met. Because plaintiff alleges that he and defendant are Wisconsin citizens, the requirements for diversity jurisdiction are not met in this case. 28 U.S.C. § 1332.

For these reasons, I will dismiss plaintiff's complaint. If plaintiff wishes to sue defendant for medical malpractice, he must do so in state court.

ORDER

IT IS ORDERED that plaintiff Christopher Grover's complaint is DISMISSED for lack of subject matter jurisdiction. The clerk of court is directed to enter judgment in favor of defendant and close this case.

Entered this 15th day of January, 2021.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge